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EXAMINER	
STIMPERT, PHILIP EARL	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 7 April 2008 have been fully considered but they are not persuasive.

2. In response to applicant's argument that Frase et al. (US 4,526,485) do not teach the use of a bearing that accommodates axial and radial loads, the argument fails to address the substance of the rejection. In particular, the rejection relies on the teachings of Frase et al. of the benefits of a sealed bearing. It is irrelevant that this feature is not recited in the independent claims, so long as the benefits of a sealed bearing, such as simplification of design and prevention of damage, would motivate one of ordinary skill in the art to perform the combination. Furthermore, as noted in the last action, those of ordinary skill in the art would recognize both the wide range of uses of rotary bearings as taught by Frase et al. (certainly including use in a compressor such as that taught by Fujii et al., US 2001/0008607), and further would be generally aware of and interested in improvements in bearings such as that of Frase et al.

3. In response to applicant's argument that Fujii et al. specifically teach against using a single bearing, this argument is also largely irrelevant. Fujii et al. do not teach that a single bearing would not function in their compressor, nor that the advantages of a sealed bearing taught by Frase et al. would not apply in their compressor. As such, the motivation to combine provided by Frase et al. is not in any way negated by the teachings of Fujii et al. Whatever secondary objectives are envisaged by Fujii et al., the primary objective of their compressor is to reliably provide compressed fluid. This

objective would be in no way affected by the substitution of a sealed bearing as taught by Frase et al. for the bearing assemblies taught by Fujii et al.

4. In response to applicant's final request for clarification, the examiner makes the following points. First, Frase et al., as cited in the previous action and acknowledged by the applicant in their arguments filed 7 April 08, teach that their bearing has certain benefits, including simplification of construction and prevention of damage. These teachings alone are sufficient to motivate the use the bearing of Frase et al. in the compressor of Fujii et al. Since the bearing of Frase et al. accommodates radial and axial loads as a function of its design, the teachings of the advantages of the sealed bearing are effectively a suggestion to incorporate the single bearing accommodating radial and axial loads. Second, Fujii et al. do not teach that a compressor having a single bearing would not function, or that the advantages of the sealed bearing of Frase et al. would not be realized in the compressor. As such, Fujii et al. do not specifically teach against realizing the benefits of the bearing of Frase et al. The objects of reducing friction and vibration in Fujii et al. are effectively secondary objects to providing a functioning compressor, which would not be affected by the substitution proposed in the rejection. In light of the foregoing, the examiner maintains that claims 1-3, 8, 10, and 25 are obvious over Fujii et al. in view of Frase et al.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Stimpert whose telephone number is (571)270-1890. The examiner can normally be reached on Mon-Fri 7:30AM-4:00PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Devon Kramer can be reached on (571) 272-7118. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Devon C Kramer/
Supervisory Patent Examiner, Art Unit 3683

/P. S./
Examiner, Art Unit 3746
15 April 2008